

IN THE UNITED STATES DISTRICT COURT  
Middle District of Alabama

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Tobie Melissa Kirkland  
Petitioner

vs

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

2:07CV 759-mht

Case No.: 2:03-CR-0264-MHT

UNITED STATES OF AMERICA  
Respondent

\*\*\*\*\*

**MOTION TO PROCEED IN FORMA PAUPERIS  
PRISONER CONSENT FORM AND FINANCIAL CERTIFICATION**

I, Tobie Kirkland, Plaintiff/Petitioner in the above entitled action,  
understand that:

1. If I submit a petition for Writ of Habeas Corpus or other petition in this court, claiming In Forma Pauperis status, that I must present to this Honorable Court my current prison account balance and the balance of the past six months to this Honorable Court.
2. I must request that an authorized official at my present place of confinement complete the Financial Certificate below and attach a computer print-out reflecting all transactions in my prison account for the past six months preceding the filing of my complaint.
3. If my current account balance is more than \$200.00, I will not qualify for In Forma Pauperis status with this Honorable Court and will be notified of denial status.
4. If I do not have more than \$200.00 in my account (line #1 below) before this cause of action can proceed, I will submit, upon order of this Court, the initial partial filing fee, which shall be 20% of my average monthly balance (line #2 below) or the average monthly deposits to my account (line #3 below), whichever is the greater amount. My failure to submit the initial partial filing fee as ordered by the Court may result in the dismissal of this cause of action and in the relinquishment of any right to therefore proceed In Forma Pauperis in any future actions.

Tobie M. Kirkland  
Petitioner

August 21, 2007

Date

**FINANCIAL CERTIFICATE**

(To Be Completed By Authorized Penal Official)

COMPUTER PRINT-OUT(S) REFLECTING ALL TRANSACTIONS IN THE INMATE'S PRISON ACCOUNT(S) FOR THE PRECEDING SIX MONTHS MUST BE ATTACHED.

- |   |             |
|---|-------------|
| 1. CURRENT ACCOUNT BALANCE                                | \$ <u>0</u> |
| 2. AVERAGE MONTHLY BALANCE FOR PRECEDING SIX MONTHS       | \$ _____    |
| 3. AVERAGE MONTHLY DEPOSITS FOR PRECEDING SIX MONTHS      | \$ _____    |
| 4. INITIAL FILING FEE : 20% of the greater of of #2 or #3 | \$ <u>0</u> |

(Subject to verification by the court.)

INMATE NAME John Kirkland

REGISTER NUMBER 11338-002

\* It is the inmate's responsibility to obtain the required print-out(s) from each institution at which he may have been confined during the preceding six months and to provide them to the official completing this form.

If print-outs or the above calculations do not represent the preceding six month period in its entirety, the official completing this form should explain here:

I hereby certify that, as of this date, the above information for the prison account of the inmate named herein is correct.

[Signature]  
Signature of Authorized Official

08/21/07  
Date

Inmate Statement			
Inmate Reg #:	11338002	Current Institution:	Tallahassee FCI
Inmate Name:	KIRKLAND, TOBIE	Housing Unit:	TAL-D-N
Report Date:	08/10/2007	Living Quarters:	D01-003L
Report Time:	8:08:11 AM		

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
TAL	8/9/2007 10:13:06 PM	33322407			Western Union	\$20.00		\$24.83
TAL	8/9/2007 4:47:48 PM	TFN0809			Phone Withdrawal	(\$2.00)		\$4.83
TAL	8/8/2007 10:23:40 PM	TFN0808			Phone Withdrawal	(\$3.00)		\$6.83
TAL	8/8/2007 4:33:51 PM	TFN0808			Phone Withdrawal	(\$3.00)		\$9.83
TAL	8/8/2007 9:56:39 AM	GIPP0707			Payroll - IPP	\$12.12		\$12.83
TAL	8/1/2007 4:53:48 PM	TFN0801			Phone Withdrawal	(\$1.00)		\$0.71
TAL	7/31/2007 11:11:56 AM	7			Sales	(\$1.25)		\$1.71
TAL	7/24/2007 10:51:42 AM	2			Sales	(\$20.00)		\$2.96
TAL	7/21/2007 4:51:46 PM	TFN0721			Phone Withdrawal	(\$2.00)		\$22.96
TAL	7/17/2007 10:56:30 AM	3			Sales	(\$58.35)		\$24.96
TAL	7/16/2007 10:06:01 PM	TFN0716			Phone Withdrawal	(\$2.00)		\$83.31
TAL	7/14/2007 3:23:44 PM	TFN0714			Phone Withdrawal	(\$3.00)		\$85.31
TAL	7/13/2007 7:17:59 PM	33320507			Western Union	\$60.00		\$88.31
TAL	7/10/2007 6:03:47 PM	87			Sales	(\$0.15)		\$28.31
TAL	7/10/2007 11:08:33 AM	2			Sales	(\$51.65)		\$28.46
TAL	7/9/2007 4:41:43 PM	TFN0709			Phone Withdrawal	(\$5.00)		\$80.11
TAL	7/7/2007 11:11:19 AM	33320007			Western Union	\$25.00		\$85.11
TAL	7/6/2007 10:29:12 PM	TFN0706			Phone Withdrawal	(\$4.00)		\$60.11
TAL	7/6/2007 1:12:17 PM	33320007			Western Union	\$50.00		\$64.11
TAL	7/5/2007 10:34:32 AM	TFN0705			Phone Withdrawal	(\$3.00)		\$14.11
TAL	7/4/2007 3:32:16 PM	TFN0704			Phone Withdrawal	(\$5.00)		\$17.11
TAL	7/2/2007 4:55:21 PM	TFN0702			Phone Withdrawal	(\$5.00)		\$22.11
TAL	7/2/2007 1:45:39 PM	94			Sales	(\$4.45)		\$27.11
TAL	7/2/2007 1:43:21 PM	93			Sales	(\$93.74)		\$31.56
TAL	7/1/2007 5:32:54 AM	70186302			Lockbox - CD	\$50.30		\$125.30
TAL	6/29/2007 3:43:45 PM	TFN0629			Phone Withdrawal	(\$5.00)		\$75.00
TAL	6/29/2007 1:13:21 PM	33319507			Western Union	\$80.00		\$80.00
TAL	6/27/2007 4:16:09 AM	TX062707			Transfer - In from TRUFACS	\$0.00		\$0.00
TAL	6/26/2007 4:46:10 AM	TX062607			Transfer - Out to TRUFACS	\$0.00		\$0.00
Total Transactions: 29					Totals:	\$24.83	\$0.00	

Current Balances

Account

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Balance</u>
TAL	\$24.83	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24.83
Totals:	\$24.83	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24.83

Deposits = \$297.42 Total